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School Reform News

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Stage Set for DC Voucher Showdown

Roll Call

Voucher opponents Arlen Specter (R-Pennsylvania) and Mary Landrieu (D-Louisiana) will go toe to toe with proponent Dianne Feinstein (D-California) and others in the upcoming Senate debate over school vouchers for Washington, DC.

Despite strong local support, Congressional passage not guaranteed

by Kelly Amis Stewart

The stage is nearly set for the final act of this year's Congressional showdown on school vouchers for the District of Columbia. But after some key players unexpectedly switched positions, nothing is certain about what will transpire when Congress reconvenes after its traditional August recess.

Congress passed a DC voucher bill in 1998, but it was vetoed by then-President Bill Clinton. President George W. Bush has said he would gladly sign such a bill.

With support coming from the highest echelons of both the federal government and the District of Columbia government—as well as from both sides of the political aisle—enactment of a school voucher program for low-income DC students seemed more likely than ever as the summer got underway.

The prospect was bolstered by the unexpected emergence of support

DC SHOWDOWN continued on page 5

Choice Programs Remain Restrictive

by Marie Gryphon

Last summer, supporters of school choice hailed *Zelman v. Simmons-Harris*, the historic Supreme Court decision upholding Cleveland's school choice program, as an important victory. The decision removed legal barriers that had previously discouraged all but the most motivated lawmakers from embracing choice policies.

One year later, however, it is clear the *Zelman* decision marked only the beginning, rather than the end, of an education reform saga. School choice programs around the country remain tiny and restrictive. Too many American families are still compelled to send their children to dangerous and dysfunctional public schools. Millions more are unhappily stuck with an otherwise passable school

CHOICE continued on page 8

Head Start Reforms Meet Resistance

by Krista Kafer

On July 25, the House of Representatives voted 217-216 to approve H.R. 2210, the School Readiness Act. The measure reauthorizes Head Start, a federal program that provides nutritional, health, social, and academic services to 900,000 poor preschool children at 19,000 centers nationwide.

Although H.R. 2210 increases Head Start funding and calls for modest reforms, the proposed changes have generated significant opposition from those who want to maintain the current organization

HEAD START continued on page 6

Mixed Bag from the Nation's Report Card

by Robert Holland

Over the summer of '03, the Nation's Report Card brought home tons of new data on the reading and writing prowess of America's fourth-, eighth-, and 12th-graders. As is often the case with the National Assessment of Educational Progress (NAEP), the results are a mixed bag, subject to differing interpretations.

In general, the bright spots in the 2002 testing came in the fourth grade and in near-term comparisons. The disturbing

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COMMENTARY

OPERATION EDUCATIONAL FREEDOM

How vouchers won in Colorado

by Hon. John Andrews

We in Colorado are proud of becoming the first state to enact a voucher program since last year's U.S. Supreme Court decision. In achieving this huge breakthrough for our schoolchildren—a program destined to become the nation's largest at 20,000 pupils—we took both encouragement and practical lessons from the states that went before us: Wisconsin, Ohio, and Florida.

We also took a page from the recent success of U.S. military operations on the other side of the world. I'd like to suggest that Operation Educational Freedom, leading to the passage of Colorado's House Bill 1160, was similar in several ways to Operation Iraqi Freedom, leading to that country's liberation.

We succeeded, much as Secretary Rumsfeld and General Franks did, through unswerving purpose, patient diplomacy, coalition-building, coordinated strategy, and tactical envelopment.

Unswerving Purpose

School vouchers and tax credits have been on the policy agenda in Colorado for more than 15 years. We have knocked at the door again and again through ballot initiatives, legislative bills, think tank research, citizen lawsuits, and privately funded voucher programs. I've been personally committed to this goal for more than 30 years, beginning with a voucher speech I wrote for President Richard M. Nixon in 1971.

Patient Diplomacy

As in the U.S. effort for a nonmilitary solution in Iraq over the past dozen years, the advocates of educational freedom in Colorado have worked through all sorts of lesser options before this year's victory. Public school open enrollment, charter schools, recognition for homeschoolers, standards and assessment, tougher testing, and school report cards have all been patiently put in place.

Coalition-Building

Republican majority legislators cultivated key Democratic allies. Black and Hispanic community leaders mobilized the grassroots. Parochial schools and evangelical churches did their part. Suburban voucher advocates met halfway with doubters from urban and rural areas. Conservative and liberal interest groups ignored other deep differences to cooperate around this one bill.

Coordinated Strategy

Major donors committed to vouchers helped us take the state senate in 2002, then funded the lobbying and media effort when legislation began to move in 2003. Egos were kept in check, bill drafting was kept reasonable, and legal research was airtight. Poll data were heeded, and votes were counted meticulously. Nothing was left to chance. Everyone was on the team.

Tactical Envelopment

Like tank columns converging on Baghdad, like pass receivers flooding the defensive zone, our legislative attack in Colorado swarmed the opposition with more than they could possibly defend against. We hit them with means-tested vouchers and universal vouchers and local-option vouchers, tuition tax credits, and scholarship tax credits—five strong bills in all. One of those bills became law, one remained in play until the session's last week, and three stayed alive until the final hours before adjournment.

Winning the Peace

One other similarity to America's recent military victory remains. Now that Colorado voucher advocates have won the war, we must fight equally hard to win the peace. We must actually make vouchers work. That means close coordination with educators both public and private, ongoing partnership with families and neighborhood groups, and strong defense against political or judicial counterattack.

We'll do all that because Colorado's children are worth it. In order to give them educational excellence, we *must* expand educational freedom.

State Senator John Andrews, a Republican from the Denver suburbs, is president of the Colorado Senate for 2003-04. He founded the Independent Institute in 1985 to advocate for school choice and other freedom principles. His email address is **AndrewsJK@aol.com**.

This article first appeared in the Spring 2003 issue of ALEC Policy Forum *and is reprinted here with permission.*

Find the Power in Christ's Love

In this heart-wrenching story, a grief-stricken teen struggles to cope with the murder of her twin brother in a school shooting. It relates to the **Ascension of Jesus** and His timeless message of forgiveness, love and compassion.

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A teen must learn to harness his anger and resist fighting so he can stay in school. This drama about strength and sacrifice parallels the **Scourging of Christ at the Pillar**.

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This emotional story revolves around a bitter high-school student who learns about sacrificial love from an eccentric teacher. It relates to the **Crowning of the Thorns** and the suffering Christ endured.

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This touching story tells how a 16-year-old girl and her grandmother cope with changes in their lives. It links their unhappiness with the suffering of **Christ in the Garden of Gethsemane**.

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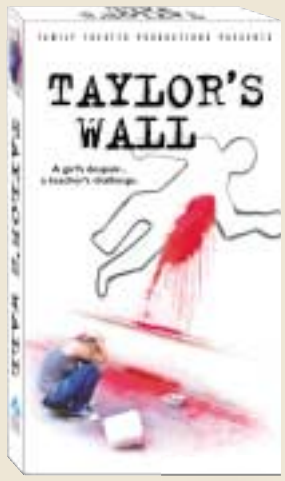

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NEA's "Technical Amendments" Would Gut No Child Left Behind

by Don Soifer

At a time when the nation is prosecuting its war on terrorism across four continents and chasing down deadly remnants of Iraqi armies, the National Education Association has chosen to battle against "federal requirements to make significant decisions about schools, teachers, or children based primarily on test scores."

The attack plan comes from an NEA document titled "Advancing NEA's Legislative Program," distributed to members at the teacher union's 2003 national convention in early July and now making its way around Capitol Hill.

Specifically, the NEA has targeted its formidable legislative lobbying operation towards changing the provisions of the federal No Child Left Behind (NCLB) Act. The landmark education law received strong bipartisan support when it passed in 2001, but it has since become more controversial as states and school districts grapple with implementing its accountability requirements based on academic results. It is not surprising the NEA selected the high-profile law as a primary target in its battle against making decisions based on test scores.

The NEA has proposed a series of 47 "technical amendments" to NCLB. Nearly all involve substantive policy changes aimed at stripping away some of the law's most basic provisions.

Gutting NCLB

What the NEA has proposed is a series of 47 "technical amendments" to NCLB. But according to one senior Congressional staffer, there is very little that is "technical" about the amendments: Nearly all involve substantive policy changes aimed at stripping away some of the law's most basic provisions.

"It is a plan to preserve the achievement gap in our schools," the aide said, pointing out most of the proposed changes would have their greatest effect on poor students in underperforming public schools, and especially on language minorities.

If implemented, the NEA-proposed changes would severely compromise the NCLB's accountability measures and their consequences. In addition, NEA aims to strike the most meaningful parental choice provisions from the law entirely, including parental choice for supplemental services and even public school choice for parents of children enrolled in failing schools.

In keeping with its goal of reducing the law's emphasis on testing, the NEA plan would substantially weaken NCLB's school accountability in a variety of ways. Sanctions for failing schools would be "limited," measures of progress would be made "flexible," and the mathematical formulas used to average school test scores would be modified "to increase the stability of school-building results."

Redefining Teacher Quality

The "technical" amendments also reprise another favorite teacher union policy angle by equating teacher quality with teacher certification obtained through traditional schools of education. Under the NEA proposals, all teachers would be required to hold such certifications, although there could be flexibility for more experienced teachers. The changes would fundamentally undermine alternative teacher certification paths and also require all charter schools to hire only teachers certified through traditional channels.

The NEA amendments would create an exception for bilingual and English-as-a-Second-Language teachers—a striking departure from the union's standard policy. States would be required to adopt "flexible standards for current ESL and bilingual education teachers." Apparently, the NEA's own views on what makes a highly qualified teacher do not apply to those who teach English learners.

The NEA amendments also would essentially remove English learners from the law's accountability provisions. For example, the NEA proposes permanently labeling English learners so their test scores remain disaggregated in that category even after they achieve proficiency in English, and also not counting the test scores of English learners until they have been in U.S. schools for three years.

While no specific legislative vehicle for the NEA-proposed reforms had been made public as this issue went to press, the amendments have been widely circulated to Congressional offices.

Tougher Financial Reporting Standards Considered

In a rare session during summer recess, a Senate Appropriations subcommittee held hearings on July 31 that included a review of proposed Department of Labor changes to the Landrum-Griffin Act of 1959. Victoria Lipnic, assistant secretary of labor for employment standards, described in her testimony how the new regulations would raise the bar substantially on financial reporting for labor unions subject to federal reporting requirements. This would include the largest teacher unions.

The Department of Labor began posting union reports on its Web site last year, in an effort to make it easier for union members to access financial information about their unions. Meanwhile, the Department has completed an extended public comment period on its proposed revisions. The regulations, which have not been substantially updated since 1959, would improve financial disclosure for the largest and most financially sophisticated unions. This would include the NEA.

One change would require unions to itemize all expenditures above a range of $2,000-$5,000. The itemized information would be posted on the Department's Web site for members and the public to access, officials there said.

While Congressional opposition may still intervene, the regulations are currently expected to go into effect this Fall.

Don Soifer is executive vice president of the Lexington Institute in Arlington, Virginia. His email address is **soifer@lexingtoninstitute.org**.

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Ed Schools "Out of Touch" with Public, Say Critics

by Robert Holland

As debate heated up this summer over using federal aid to reform teacher preparation and licensing, a forum at the American Enterprise Institute moderated by Second Lady Lynne Cheney posed a provocative question:

Can education schools be saved?

The question brought sharply differing responses from defenders and critics of the long-dominant system, whereby collegiate schools of education and state education bureaucracies jointly control who may or may not teach in public elementary and secondary schools.

Even as participants debated whether the ed-schools can or ought to be saved, David Imig, president and CEO of the American Association of Colleges for Teacher Education (AACTE), asserted "education schools are busy saving themselves!"

Imig did not himself appear before the well-attended AEI conference to deliver his comments. Instead, citing a family problem, he sent an associate, Mary Dilworth, who read his remarks.

"Stone suggested ... alternative certification enabling individuals to become teachers 'without having to undergo training in the untested and often fanciful practices that are too often taught in the schools of education.'"

But two veteran professors of education were not sold on the idea that the nation's 1,200 schools of education are producing teachers who can help elevate student achievement.

"As to whether the schools of education can be reformed, frankly I am not optimistic," said John Stone of East Tennessee State University.

"In my view, they are out of touch with the public," Stone said. "The training received by most teachers is based on teacher education's vision of a better world, not on the public's aims."

Stone cited repeated fads such as the "open classroom" and self-esteem enhancement that have sprung from the education schools' vision of student-led "best practices," only to leave most students with severe gaps and deficiencies in their education.

Among other reforms, Stone suggested independent audits of student achievement produced by newly minted teachers, as occurs under Tennessee's value-added assessment system, and alternative certification enabling individuals to become teachers "without having to undergo training in the untested and often fanciful practices that are too often taught in the schools of education."

Cash Cow

George Cunningham of the University of Louisville noted wryly that the security of schools of education is not in question. That's because their large enrollments and low overhead tend to make them "the most profitable unit in a university," a cash cow no university president will want to terminate.

"Education schools are certainly going to survive," said Cunningham. "The more important question is whether they will be relevant."

There are two "distinctly different belief systems in education," Cunningham explained. One camp believes raising student achievement is the overriding purpose of education. On that side are the general public, state legislatures, governors, and supporters of the federal No Child Left Behind (NCLB) Act.

On the other side are the education schools, which believe a good teacher creates the environment for children to "learn" by constructing their own meaning.

Such child-centered, constructivist "learning," as opposed to academic achievement, "is evaluated in terms of what the teacher is doing. It does not require an examination of what is happening to the students in the classroom." The instructional methodologies designed to facilitate such "learning," he concluded, "may not only fail to increase academic achievement; they may actually degrade it."

Field Test Released

The day after the AEI forum, Washington newspapers broke the news of an allegation that Imig had deliberately released items from a field test of the new American Board for Certification of Teacher Excellence (ABCTE) teacher examination.

ABCTE is planning to offer teachers the opportunity to win national certification largely based on their knowledge of the subjects they teach. Imig's AACTE and other long-established education interests favor instead continued dominance of the certification field by the 15-year-old National Board for Professional Teaching Standards, which offers national certification largely according to teachers' use of methodologies taught in the ed-schools.

Largely because of the premature release of test questions, ABCTE had to contract for a new examination, which it planned to start administering this Fall. Imig conceded he had obtained the items and distributed them at a conference of education professionals, but he denied he was trying to sabotage the ABCTE's alternative certification.

"Good Enough" Teachers?

In his prepared comments at the AEI forum, Imig said he agreed with President George W. Bush for condemning the "soft bigotry of low expectations" and using that as the rationale for accountability provisions of No Child Left Behind. However, Imig charged "soft bigotry" also exists in what he called the "good enough teacher philosophy that pervades this town." That's the attitude, Imig stated, that anyone with a bachelor's degree and a clean criminal record who can pass some sort of assessment is "good enough" to teach K-12 children.

David Imig

Lisa Graham Keegan

To the contrary, Lisa Graham Keegan, CEO of the Education Leaders Council, charged it is the education schools that "have focused too much on unproven pedagogy and not enough on what matters most"—teachers "knowing their subject area." The ABCTE will enable bright persons who have not gone through education schools to become certified and to bring intellectual excellence to the classroom, she contended.

Over the summer, the House of Representatives passed by a 404-17 vote a reauthorization of Title II of the Higher Education Act. Renamed the Ready to Teach Act, the reauthorization measure provides support for charter colleges of education, alternative certification, merit pay, and tenure reform.

The National Education Association and other organizations have indicated they may fight some of those provisions in the Senate this fall.

Robert Holland is a senior fellow at the Lexington Institute, a public policy think tank in Arlington, Virginia. His email address is **rholl1176@yahoo.com**.

INTERNET INFO

A Webcast of the AEI forum, "Can Education Schools Be Saved," along with copies of speakers' remarks, can be found online at **http://www.aei.org/events/view.,recNo.21,filter./recent_list.asp**.

Mackinac VP Overton Killed in Plane Crash

Joseph P. Overton, 43, senior vice president of the Mackinac Center for Public Policy, died on June 30, 2003, as a result of injuries sustained when his single-seat lightweight aircraft crashed after takeoff near Caro in Michigan's Thumb.

Overton served as a volunteer for the Center in its early years, eventually joining the staff in 1992 and helping it become the largest of some 40 research institutes of its kind outside Washington, DC. He also founded the Michigan Legal Foundation and USAVotes.org.

"On the policy issue that meant the most to him—education—[Overton] labored tirelessly to expand liberty and opportunity for parents to send their children to the best and safest schools of their choice," said Lawrence W. Reed, president of the Mackinac Center.

Reed spoke movingly of Overton's strong love of liberty. "To him, it meant maximum room for each person to employ his God-given abilities so long as he harms no one else. ... He loved the principles embodied in the Declaration of Independence."

Overton maintained a lifetime connection with Michigan. He was born in South Haven on January 4, 1960; graduated from Midland's H.H. Dow High School in 1978; graduated from Michigan Technological University in 1983 with a bachelor's degree in electrical engineering; and graduated from the Thomas M. Cooley Law School in 1993 with a Juris Doctor degree. Before joining the Mackinac Center, Overton worked for the Dow Chemical Company for several years, holding positions as electrical engineer, project manager, and quality specialist.

He is survived by his wife, Helen; his mother, Kathryn J. Overton of Midland; a sister, brother, and several aunts, uncles, and cousins. He was preceded in death by his father, Lawrence G. Overton.

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DC Showdown

Continued from page 1

from Senator Dianne Feinstein (D-California), a member of the Senate Appropriations Committee, who explained the reasoning behind her change of view on vouchers in a July 22 *Washington Post* opinion piece. However, last-minute defections from former DC school voucher supporters Senators Mary Landrieu (D-Louisiana) and Arlen Specter (R-Pennsylvania), also members of the Appropriations Committee, abruptly halted that Committee's consideration of the measure in late July.

Inclusion of the voucher proposal in the Committee's comprehensive spending bill for the District of Columbia is key; without it, the measure must be introduced as a stand-alone bill for consideration by the full Senate, where it would be more vulnerable to a filibuster.

The House of Representatives Appropriations Committee has included funds for a DC voucher program in its version of the appropriations bill for the District, passed on July 15.

Unprecedented Local Support

The current battle for DC school vouchers enjoys unprecedented support from top local leaders: Mayor Anthony Williams, School Board President Peggy Cooper Cafritz, and the chair of the City Council's Education Committee, Kevin Chavous. All are Democrats. The effort gained momentum from Bush during a July 1 speech given at KIPP DC: Key Academy, a local charter school. The President promised to request $15 million from Congress to fund a DC voucher program as part of a $75 million "Choice Incentive Fund."

"I want my second home to become a model of excellence," the President told a small crowd of local parents and school choice supporters, "so that when people see the educational entrepreneurial spirit alive and well in DC, they realize they can do the same in their own communities."

Williams and U.S. Secretary of Education Rod Paige shared the stage with the President at the KIPP: Key Academy event to express their support for federally funded DC vouchers. A few weeks later, Williams and Chavous visited members of the House Republican Caucus to enlist their support.

"I am generally pleased with the relationship-building that has occurred between city leaders and Members of Congress around the issue of school reform in the District," Chavous told *School Reform News*. "I view this effort as the first step toward creating an environment more conducive to school innovation and greater local school autonomy."

DC's non-voting delegate to Congress, Eleanor Holmes Norton, a Democrat who strongly objects to school vouchers, has not been pleased with the upswing in local voucher support nor her colleagues' trips to Capitol Hill. "I don't know what our folks were doing on that side of the aisle and on the wrong side of an issue," she said.

Capitol Hill Activity

The House of Representatives Appropriations Committee agreed to a DC spending bill for fiscal year 2004 (H.R. 2765) that includes $10 million in new federal funds for a DC school voucher program, contingent on the program being authorized. Government Reform Committee Chairman Rep. Tom Davis (R-Virginia) has been working to do just that: His Committee approved the DC Parental Choice Incentive Act of 2003 on July 10 to authorize up to $15 million for a DC program that would provide private school vouchers to low-income students, with priority given to those in low-performing schools.

On the Senate side, the Appropriations Committee began "marking up" its DC FY04 appropriations legislation (not yet numbered), which includes both an authorization and the appropriation of funds for a DC school voucher program. The process was suspended when it became clear Landrieu and Specter would vote to remove DC vouchers from the bill, upsetting the balance in favor that had been assumed by Senate staffers.

In both the House and Senate versions of the legislation, the U.S. Department of Education would oversee and evaluate the program, which would provide annual tuition vouchers worth up to $7,500 per student. The department would use a competitive grant process to select a local nonprofit organization or government entity to administer the voucher program.

"Three-Sector" Approach

The Senate version of the measure would provide $13 million for DC vouchers, as well as an additional $13 million each for traditional public schools and charter schools and $1 million for administrative costs, for a total of $40 million. This "three-sector" package reflects the wishes of Williams and Chavous, who emphasize the need for increased educational choice and quality in all of DC's K-12 education sectors.

In testimony before the Senate Appropriations Committee in June, Williams stated his view that the "three-sector approach will allow the city to leverage its best assets among public schools, public charter schools, and private/parochial schools."

The mayor's testimony had influence with Senator Feinstein, who served as mayor of San Francisco for 10 years.

"I believe that education is a local issue and that if the mayor wants this program, it should be given the chance to work," Feinstein explained in the *Washington Post* article.

"Based on the substantial amount of money pumped into the [DC] schools and the resultant test scores, I do not believe that money alone is going to solve the problem," she further noted. "This is why I believe the District should be allowed to try this pilot—particularly for the sake of its low-income students."

Unexpected Opposition

By contrast, Landrieu and Specter unexpectedly came out against the measure, despite having voted for—and in the case of Landrieu, cosponsored the legislation for—DC vouchers in 1997. This drew the ire of school choice supporters like Virginia Walden-Ford, president of DC Parents for School Choice.

"I want my second home to become a model of excellence, so that when people see the educational entrepreneurial spirit alive and well in DC, they realize they can do the same in their own communities."

President George W. Bush

"I was especially disappointed in Senator Landrieu. ... It did appear to me [at one time] that she understood the needs of our city," Walden-Ford told *School Reform News*. "I do not believe that now."

When Congress returns after the August recess, the DC voucher proposal will face several more hurdles: the Senate Appropriations Committee decision, consideration by the full Senate and House of Representatives, and, if one or both houses support it, reconciliation of differences in a House-Senate Conference. The outcome is far from certain.

Kelly Amis Stewart is an education consultant and coauthor of Making it Count: A Guide to High-Impact Education Philanthropy *with Chester E. Finn, Jr. Her email address is* **KLAmis@aol.com**.

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Democrats Face Dilemma Over Vouchers

The recent switch by several prominent black elected officials in Washington, DC to support school vouchers is exposing an issue where the Democratic Party's two strongest constituencies—teacher unions and blacks—are at odds with each other, notes *Investor's Business Daily* correspondent Sean Higgins. The shift—a profound and significant one in political terms—produced no uproar or protests from the city's black residents.

While teacher unions demand their opposition to vouchers be shared by Democratic candidates they support, polls by the Joint Center for Political and Economic Studies show a steady 57 percent level of voucher support among blacks, who vote Democratic about 90 percent of the time. Support for vouchers is much higher among black households with children (74 percent) and among black voters under 35 (75 percent).

"Sooner or later, there will be a day of reckoning for Democrats on this," Andrew Rotherham told Higgins. Rotherham is head of the Democratic Leadership Council's think tank, the Progressive Policy Institute. "There is a real tension there," he added.

Source: *Investor's Business Daily, May 15, 2003*

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Head Start

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of the program.

The bill emphasizes cognitive development and school readiness, requires half of all Head Start teachers to have at least a bachelor's degree by 2008, and increases funding by $202 million, bringing the total to $6.87 billion a year.

"For the first time in nearly 40 years, we are addressing the readiness gap that separates Head Start children from their more advantaged peers," said House Education Committee Chairman John Boehner (R-Ohio).

The bill also grants civil rights protections for faith-based organizations that run Head Start programs, allowing them to hire employees according to their religious principles as guaranteed under the federal Civil Rights Act. Additionally, the legislation authorizes a pilot program to allow eight states to coordinate their Head Start programs with state-based early childhood education programs. Democrats opposed the pilot program, and all of them voted against it.

Increasing School Readiness

Since 1965, 20 million children have participated in Head Start. The program has the overall goal of "increasing the school readiness of young children in low-income families."

Research findings on Head Start's efficacy have been mixed. The newest federally funded survey of participating children and families in 1997 and 2000 found that while participating four-year-olds performed slightly higher on certain skills tests after one year, the average child scored only a little above the 20th percentile on tests of letter recognition, vocabulary, early mathematics, and writing. Last year, the Head Start program's cost per child was $6,900.

"That's a lot of expenditure for a little bit of progress," according to House bill sponsor Representative Mike Castle (R-Delaware). A new $28 million research project tracking the progress of more than 4,700 children will be completed in 2006.

There are numerous state and federal early childhood programs besides Head Start. Currently, nine federal agencies administer 69 early childhood education and support programs. The cost of federal and state early childhood programs totals roughly $23 billion a year.

States have no legal authority to work with or improve Head Start programs, which are administered at the local level. A recent report by the U.S. Department of Health and Human Services documents a lack of coordination between Head Start and state-based preschool programs. The lack of coordination causes duplication of services, service gaps, and lack of communication and information-sharing.

The Head Start program has "become isolated from change and improvement," according to Boehner.

"For the first time in nearly 40 years, we are addressing the readiness gap that separates Head Start children from their more advantaged peers."

Hon. John Boehner (R-Ohio)
House Education Committee Chairman

Criticism Rejected

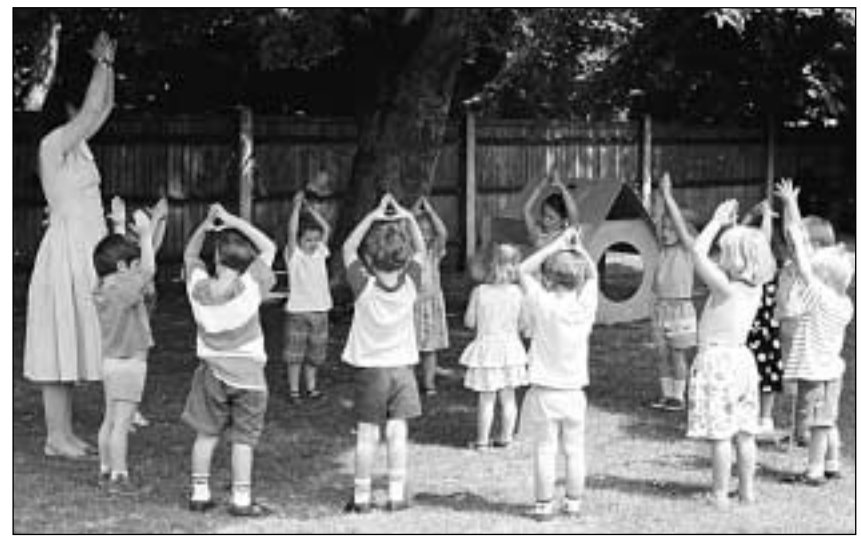
Sarah Greene, president and CEO of the National Head Start Association, opposes the House legislation. She contends the program already works well. Calling criticism of the program a "snake-oil sales pitch," she sees the House bill as a "radical proposal that dismantles the federal government's nearly four-decades-long commitment to getting at-risk children ready to learn." The Association is seeking a substantial increase in funding for Head Start.

Two Head Start bills also have been introduced in the Senate, but neither contains the House pilot program. One bill, S. 1474 by Senator Lamar Alexander (R-Tennessee), would establish 200 "Centers of Excellence" to showcase effective programs around the nation. The other, S.1483 by Senator Christopher Dodd (D-Connecticut), would require all Head Start teachers to have four-year college degrees by 2008 and raise program funding to $16 billion by the same year. S. 1483 would not guarantee civil rights protections for faith-based Head Start providers.

Krista Kafer is senior policy analyst for education at The Heritage Foundation. Her email address is **krista.kafer@heritage.org**.

Wrong Start?

by George A. Clowes



Although supporters of Head Start and other preschool programs for underprivileged children maintain such efforts are a remarkably cost-effective way of raising student achievement in both the short term and the long term, the reality painted by research studies is that such programs produce only mediocre results. Congress recognized this in its 1999 Head Start reauthorization, when programs were called upon to ensure appropriate literacy growth in young children.

An educational researcher recently suggested a likely reason for the mediocre achievement gains of preschool programs. Preschool teachers are required to use teaching practices that delay, rather than accelerate, school readiness.

Although the nation's largest accreditor of preschool programs has publicly repudiated such practices, it has failed to remove them from its accreditation and research standards, thus resulting in the accreditation of flawed programs, faulty practices, and inappropriate teaching methods.

In an article published in the American Educational Research Association's *Educational Researcher* last December, Boston College education professor David K. Dickinson describes how the National Association for the Education of Young Children (NAEYC) sets accreditation standards for preschool teacher training, preschool programs, and research on the quality of preschool programs.

Based on its adoption of "developmentally appropriate practice" (DAP), NAEYC in 1986 warned teachers against teaching reading and writing fundamentals by using direct instruction and explanation, because this method could overload the child's developmental capacity and produce burnout. Instead, said NAEYC, children should be allowed to explore such skills on their own—if they were interested.

However, as Dickinson points out, the DAP approach succeeds mainly with children from structured home environments with supportive and literate parents. The DAP method doesn't succeed with children who are most in need of guidance and instruction in a structured teaching environment—i.e., children from environments without structure and support. Those are the very children programs like Head Start were created to help.

With research showing the ineffectiveness of the DAP approach, NAEYC publicly reversed its position in 1996, repudiating DAP and now encouraging children to write letters and say the alphabet. But, as Dickinson points out, there was no accompanying reversal or change to NAEYC's accreditation and research standards. Its teaching standards also were left open to the continued use of DAP methodology.

"Imagine the public outcry for accountability" if this were a drug for children rather than an education program for children, said J.E. Stone, education professor at East Tennessee State University and founder of Education Consumers Clearinghouse and Consultants Network. Stone suggested the following parallel:

- A drug taken by children who attend preschool is found to delay their intellectual growth;
- Children who have good diets are mostly unaffected, but the rest are consigned to a lifetime of diminished possibilities;
- The drug was poorly tested and the manufacturer is trying to cover up the problem.

"Imagine the lawsuits," said Stone, whose Consultants Network focused on Dickinson's research and its policy implications in a December 2002 Briefing Paper.

Dickinson has another suggestion: "If NAEYC cannot satisfactorily reform itself, policymakers should act to restrict preschool standards to matters of health and safety," concluded the Briefing Paper. "Fewer standards would clearly be preferable to faulty standards."

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INTERNET INFO

David A. Dickinson's paper, "Shifting Images of Developmentally Appropriate Practice as Seen Through Different Lenses," was published in *Educational Researcher*, 31(1), 2002, pp. 26-32. This paper is available online at **http://www.aera.net/pubs/er/pdf/vol31_01/AERA310105.pdf**.

The Education Consumers Consultants Network has written a Briefing Paper that summarizes Dickinson's research study and addresses its policy implications. The December 2002 Briefing Paper is available online at **http://www.education-consumers.com/briefs/dec2002.shtm**.

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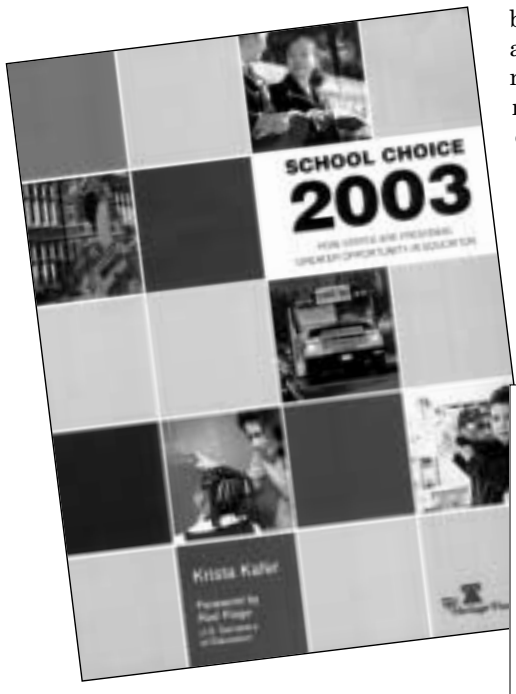
States Are Providing More Choice Options



by George A. Clowes

Asking the questions is easy: How is school choice progressing? Overall? By state? Within a state? By type of program? Where do we have vouchers? Individual tax credits? Corporate tax credits? Charter schools? Who's involved in my state? How do I contact them?

Providing accurate answers to those questions, however, is a lot more difficult. Also, with ongoing legislative activity occurring independently at the federal level, in 50 different states, and in the District of Columbia, the challenge of providing an accurate status report on school choice in the U.S. is a perpetual, Sisyphean-like endeavor.

"As well as devoting several pages to each state for specific education and school choice data, the introduction to the book contains several useful charts that summarize how school choice options vary across states."

Fortunately for information-seekers, The Heritage Foundation rises to the challenge each year with the publication of its annual roundup of progress on school choice around the country—together with hundreds of education facts for each state, such as public school spending, school facilities, student proficiency, pupil-teacher ratio, etc.

The latest edition of this invaluable publication, *School Choice 2003: How States Are Providing Greater Opportunity in Education*, was released in July, both in book form and on the Internet at **http://www.heritage.org**. The online version will be updated on an ongoing basis as new information becomes available. Overseeing the collection and organization of this massive array of information is editor Krista Kafer, Heritage's chief education policy analyst.

As well as devoting several pages to each state for specific education and school choice data, the introduction to the book contains several useful charts that summarize how school choice options vary across states. The introduction also provides a summary of recent important developments in school choice from several different aspects—specific legislative action, court rulings, public opinion surveys, and research studies.

For example, Kafer reports that when traditional public schools face competition, all students benefit, not just those exercising choice.

"Schools located in areas where there was high competition in attracting students—and their per-pupil funding—had a strong incentive to improve performance," she writes.

This is a reference book that should be in the hands of everyone who is serious about wanting to improve our public schools.

Both the printed copy and the online version of *School Choice 2003* are available from The Heritage Foundation's Web site at **http://www.heritage.org/Research/Education/Schools/schoolchoice_2003.cfm**.

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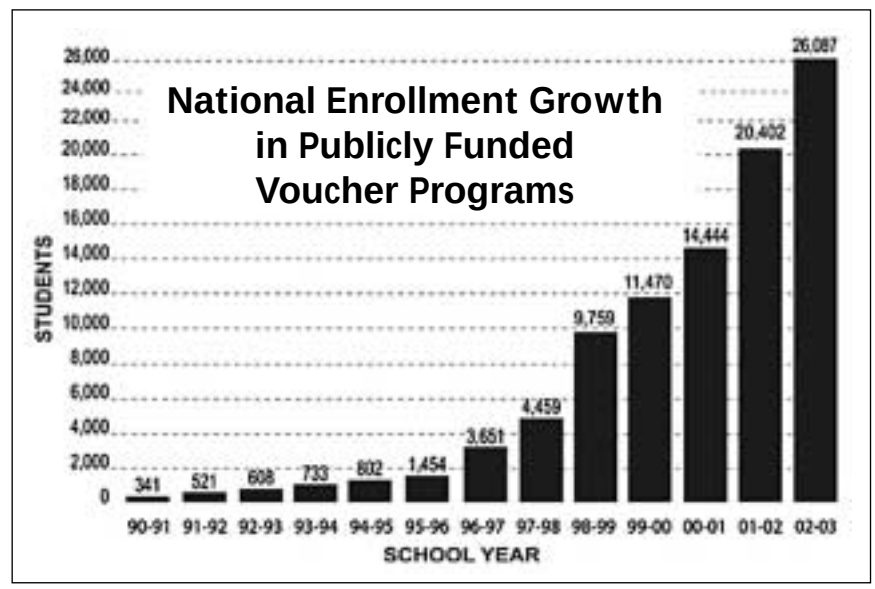
Voucher Growth Depends on Schools Willing to Participate

by George A. Clowes

In Florida, leading Democratic lawmakers are making a concerted pitch to impose additional regulations, audits, and oversight on the hundreds of private schools that accept scholarships funded by the state's corporate tax credit program.

However, as Robin Rennick of the Coalition for McKay Scholarship Schools pointed out to a *Palm Beach Post* reporter, if additional rules prove too onerous, many private schools would no longer participate in these privately funded voucher programs.

The increase in the number of participating schools has been a key factor in the growth of new publicly funded voucher programs since 1990. Once serving just 341 students in Milwaukee in 1990-91, such programs served 26,087 students in Milwaukee, Cleveland, and Florida in 2002-03. Remarkably, enrollment growth in just three years—1998-99, 2001-02, and 2002-03—accounts for almost 17,000 of that increase. During those years, the number of participating private schools increased significantly.



Source: American Education Reform Council

In 1998-99, the number of private schools participating in the Milwaukee Parental Choice Program jumped from 23 to 83 after the U.S. Supreme Court let stand the Wisconsin Supreme Court's approval of the program, thus significantly reducing the business risk associated with participation. Enrollment in the program jumped from 1,545 in 1997-98 to 6,085 in 1998-99.

When it started in 2000-01, Florida's McKay Scholarship Program attracted the participation of 120 private schools to serve 977 students. Initially, the private schools were required to "accept as full tuition and fees the amount provided by the state for each student." A year later, the Florida legislature removed that restriction and other provisions from the program.

The changes allowed "add-ons" for parents to supplement the state voucher amount for their child, kick-starting market forces by letting the market determine tuition. In the next two years, the number of private schools participating jumped from 120 to 360 in 2001-02 and approximately 600 in 2002-03. The number of scholarship students jumped from 977 to 5,016 to 8,728.

According to a Florida Department of Education official, removal of the tuition cap has been a significant factor in the increase in schools participating in the program.

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Choice Restrictions

Continued from page 1

that has failed their particular child.

The Court's decision upholding school choice has motivated legislators across the country to propose new choice programs. Colorado has passed a new law authorizing vouchers for some low-income students in that state. States that already have school choice laws are likewise considering significant expansions of those programs. Nevertheless, school choice programs remain stunted by rules and regulations that are the products of political compromise.

Restrictions Abound

Plagued by limited scholarship funds and enrollment caps, most school choice programs are oversubscribed. Families in Milwaukee and Cleveland must compete in annual lotteries for scholarships, with the losers relegated to waiting lists. Legislation proposed for the District of Columbia may fund only 2,000 scholarships for students now enrolled in its disastrous public schools.

Moreover, many programs offer scholarships in amounts too low to provide students with the widest array of options. In Ohio, voucher lottery winners receive no more than $2,500. While it is a miracle of American generosity and thrift that more than 50 Cleveland private schools have agreed to educate children for that amount, lawmakers must make a larger portion of education funding portable if these programs are to realize their potential.

Some choice programs, such as Florida's Opportunity Scholarship program, apply only to children in "failing schools," as determined by overall performance measures. No provision exists in Florida for an otherwise marginal school that is failing a particular child. As a result, many Florida children in need of choices do not qualify.

Finally, most school choice programs are geographically hobbled, applying only to urban centers. The Ohio program, for example, applies to any school district operating under federal judicial supervision. But Cleveland is the only district in the state that qualifies for choice under that definition.

The proposed District of Columbia program not only restricts the location of its beneficiaries, it restricts the location of their educational options. Participants will have to choose schools located inside the District itself, a nonsensical move that will bar students from excellent, cost-effective schools in its Virginia and Maryland suburbs.

The *Zelman* decision capped 12 years of litigation over the constitutionality of school choice. But if the wheels of justice grind slowly, the pace of real social change is often slower still.

Existing programs in Florida, Cleveland, Arizona, and elsewhere have proven false opponents' suggestions that lower-income parents are too foolish or inattentive to make good choices for their children, and the success of those programs has bolstered a growing consensus that all families deserve educational freedom.

But the school choice movement's goal of choice for all families will remain elusive until it is able to alter a political dynamic that favors half-loaf solutions to educational crises.

Marie Gryphon, an attorney, is an education policy analyst at the Cato Institute and author of "True Private Choice: A Practical Guide To School Reform in the Wake of Zelman v. Simmons-Harris." **http://www.cato.org/pubs/pas/pa466.pdf** *Her email address is* **mgryphon@cato.org**.

INTERNET INFO

Details of taxpayer-funded voucher programs, including year-by-year enrollments and costs for most programs, are available at the Web site of the American Education Reform Council at **http://www.schoolchoiceinfo.org/facts/index.cfm#**

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Under Secretary Endorses Choice in Michigan

Hickok finds some parents grateful, others angry

by George A. Clowes

U.S. Under Secretary of Education Gene Hickok recently met with charter school advocates, faith-based and community leaders, and parents in the Detroit area to focus on efforts to improve K-12 education in Michigan. During the two-day visit, he explained how the No Child Left Behind (NCLB) Act contributes to those efforts and also endorsed an innovative local effort to create more charter schools in the Wolverine State.

Michigan charter law caps the number of university-authorized schools; once that cap is reached, colleges cannot issue charters for additional schools even if parents want them. However, on July 15, Hickok and Lori Stillwagon Yaklin, senior advisor on family educational rights, from the U.S. Department of Education's Office of Innovation and Improvement, toured a charter school near Belleville that is slated to open this fall.

The charter school, Keystone Academy, is scheduled to open because Bay Mills Community College came to the rescue of frustrated parents and community leaders. As a tribal community college, Bay Mills is not subject to the cap, and it has authorized Keystone and other schools to open later this year.

"Bay Mills originally wanted to open a charter school on its Upper Peninsula reservation because tribal children were not getting an adequate academic education. As the college leaders became more involved, they realized residents across the state were mired in similar situations. It was then Bay Mills decided to take on the task of authorizing schools statewide."

The education officials walked the grounds of Keystone with Mickey Parish, president of Bay Mills Community College, and L. John Lufkins, the tribal leader. Accompanying them were the school's local founders, parents of enrolled children, representatives of the Michigan Association of Public School Academies, and leaders of National Heritage Academies, the school's management company.

Hickok was visibly moved when a parent spoke of her prayers for the opportunity to send her child to a better school and her gratefulness for Keystone Academy.

"Without your leadership these parents would not have this hope for a brighter future for their children," he told Lufkins.

Bay Mills originally wanted to open a charter school on its Upper Peninsula reservation because tribal children were not getting an adequate academic education. As the college leaders became more involved, they realized residents across the state were mired in similar situations. It was then Bay Mills decided to take on the task of authorizing schools statewide.

"We are thankful for the support of the Department of Education and the Bush administration," said Parish. "I'm glad that they recognize the positive role we play in education and that we can work together to ensure that parents and students have choices."

Tutoring Needs

The following day, Hickok spoke to 125 faith-based and community leaders at Tried Stone Baptist Church in Detroit. He urged them to consider becoming state-approved tutors to children in their community.

The NCLB Act permits faith-based and community organizations to apply to the state to become authorized supplemental education services providers. If children from low-income families attend schools labeled "in need of improvement" for more than one year, their parents may choose a state-approved tutor for them, with the tutoring fees paid by the district with federal Title I funds.

Partnership with BAEO

Hickok later spoke at an open house in Detroit held by the U.S. Department of Education and the Detroit Chapter of the Black Alliance for Educational Options (BAEO). More than 100 inner-city parents and leaders listened as Hickok and BAEO's Detroit Chapter chairman, Lawrence Patrick Jr., passionately called for empowering and trusting parents.

Under NCLB, parents receive information about the performance of their child's school, and if the school is not performing well they may be able to transfer their child to a higher-performing public school or obtain free tutoring. But many parents don't need another report card to tell them their child's school isn't doing a good job. At the meeting, one parent told Hickok of her frustration and anger with her child's poor-performing school.

"You should be frustrated and angry," said Hickok. "Your children deserve better. I hope every parent will take their frustration and turn it into action."

The under secretary received two standing ovations during his remarks. He called for putting the needs of children ahead of the needs of the educational system.

"No Child Left Behind reflects an attitude that every child can learn and every child counts no matter what their background or where they live," Hickok told the enthusiastic crowd.

George A. Clowes is managing editor of School Reform News. *His email address is* **clowes@heartland.org**.

U.S. Under Secretary of Education Gene Hickok listens as Phuong Koh (right) describes how she and her husband moved within six miles of Keystone Academy. Displeased with their traditional district, the Kohs have been trying for two years to get their daughter into a charter school managed by National Heritage Academies. "Now Sydney will be in a good school, with a good environment. We're so excited," Koh said. Also listening is Kay Brooks (center), who will have two grandchildren attending Keystone.

Photos: Joe Wilssens

Hickok discusses the future of charter schools in Michigan with Bay Mills Indian Community tribal leader John Lufkins (center); and J.C. Huizenga, founder of National Heritage Academies (right). The group toured the construction site of Keystone Academy in Sumpter Township near Belleville.

INTERNET INFO

Information on the Bay Mills Community College's charter school program is available at the college's Web site at **http://www.bmcc.edu**.

Information on Keystone Academy is available from the Web site of National Heritage Academies at **http://www.heritageacademies.com**.

The Web site of the Office of Innovation and Improvement in the U.S. Department of Education is at **http://www.ed.gov/offices/OII**.

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The Friedman Report

The Milton and Rose D. Friedman Foundation is a nonprofit, 501(c)(3) organization established in 1996 by Milton and Rose Friedman. The origins of the foundation lie in the Friedmans' long-standing concern about the serious deficiencies in America's elementary and secondary public schools. The best way to improve the quality of education, they believe, is to enable all parents to have a truly free choice of the schools that their children attend. The Friedman Foundation works to build upon this vision, clarify its meaning to the general public, and amplify the national call for true education reform through school choice. Contact us at www.friedmanfoundation.org for more information.

The Milton & Rose D. Friedman Foundation
One American Square #1760
Indianapolis, IN 46282

DISTRICT OF COLUMBIA

Feinstein Endorses Voucher Proposal

In an unexpected *Washington Post* editorial, California Democratic Senator Dianne Feinstein stated her support for District of Columbia Democratic Mayor Anthony Williams' pro-voucher stance:

"I have never before supported a voucher program ... [but b]ased on the substantial amount of money pumped into the schools and the resultant test scores, I do not believe that money alone is going to solve the problem. This is why I believe the District should be allowed to try this pilot—particularly for the sake of its low-income students," she wrote.

"Ultimately, this issue is not about ideology or political correctness," she asserted. "It is about providing a new opportunity for good education."

According to Lance Izumi, senior fellow in education studies at the Pacific Research Institute, the conversion of politicians like Feinstein presages the bursting of the dam of the government school monopoly.

"No wonder, then, that the response of the teachers unions [to Feinstein's support of DC vouchers] has been apoplectic ..." he wrote in the *Orange County Register*. "Refreshingly, however, Sen. Feinstein recognized that it was the union that lacked the wisdom on this issue."

Izumi asks Feinstein to remember her own constituents, writing, "If it is a moral and civil right to give parents in Washington the ability to choose the best education for their children, then shouldn't California parents be allowed that same right?"

Washington Post
July 22, 2003
Orange County Register
July 28, 2003

OHIO

Cleveland Voucher Program Expanded

On June 26, Ohio Governor Bob Taft signed into law a budget bill developed by the state legislature that increases funding for the Cleveland Scholarship and Tutoring Program by $10.5 million over the next two years, from its current level of $11.9 million. The bill also expands the program to high school grades 9 and 10, permits voucher schools to charge additional fees to wealthier families, and increases the maximum voucher amount from $2,250 to $3,000.

According to the Catholic Conference of Ohio, which helped draft some of the bill's language, the voucher amount has remained at $2,500 since the program's inception in 1995.

"What public school district in the state would accept similar treatment?" asked Catholic Conference representative Tim Luckhaupt.

Akron businessman David Brennan told the *Beacon Journal* legislation would soon be introduced to extend vouchers to other Ohio cities and to higher-income families. Brennan, who chaired the school choice commission that recommended vouchers for Cleveland, now operates a number of for-profit schools.

Akron Beacon Herald
June 29, 2003

Chris Kasson

Gov. Bob Taft takes a moment to receive a drawing from 6-year-old D.J. Steele.

School Choice Roundup

by Laura J. Swartley

FLORIDA

Voucher Enrollment Doubles to More Than 1,100

Next year, more than twice the number of Florida students will utilize taxpayer-funded vouchers through the A-Plus Accountability Program, the increase over this year driven in part by a large number of students becoming eligible in the state's most populous county, Miami-Dade. Five of the state's nine failing schools are in Miami-Dade, and more than half the state's total of Opportunity Scholarship applicants reside there.

Although the number of failing schools dropped from 10 to nine this year, the number of voucher students will increase from 556 in the 2002-03 school year to more than 1,100 in 2003-04. An additional 631 students already have applied for the Opportunity Scholarships for next year, and the estimated 1,187 voucher participants could be swelled by students from another 600 families who registered before a July 1 deadline.

Starting July 1, the limit on corporate income tax credits that can be used to fund privately funded school vouchers was raised to $88 million from $50 million.

Miami Herald
July 23, 2003

Participants Provide Feedback on Scholarship Program

In July, Florida Education Commissioner Jim Horne began a three-city tour to get feedback from participants in two scholarship programs that permit students in public schools to transfer their enrollment to private schools.

The two state programs, the McKay Scholarship Program and the Corporate Tax Credit Scholarship Program, involve more than 25,000 children and more than $100 million in tax credits and tax dollars. Reports of possible misuse of some of these funds have sparked criticism of the programs, with opponents calling for more accountability.

Participants at Horne's first hearing in Tampa on July 30 included private school administrators and parents, representatives from the Florida Catholic Conference, representatives from the Black Alliance for Educational Options in Washington DC, and John Kirtley, founder and chairman of Florida PRIDE. Kirtley's organization distributes some of the tax credit-funded scholarships.

After listening to those involved in the programs, Horne said the testimonials showed the programs were working. Ultimately, he told the *Tampa Tribune*, concerns about accountability should rest with the parents.

Tampa Tribune
July 31, 2003

NEW JERSEY

Education Commissioner Sees Choice as Performance Catalyst

In a recent interview with the editorial board of the *Asbury Park Press*, New Jersey Education Commissioner William Librera was surprisingly forthcoming with his views on school choice as a means to reform failing public schools.

Addressing the need to improve performance in many school districts across the state, he suggested imple-

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menting some form of school choice as a way of speeding up this process. The competition among schools for students could lift the performance of some schools if administrators saw they were losing so many students their schools could be closed down.

"If results are bad, you don't exist anymore," Librera said to the newspaper's editors. "That's what happens in choice. It's called a market correction."

Asbury Park Press
June 4, 2003

NEW YORK

Buffalo Schools Respond to Increased Choice

As school choice has expanded significantly in Buffalo, New York, public and private education providers there are beginning to promote themselves more aggressively to attract new students and keep the ones they have.

Buffalo's first two charter schools opened in 2000 with only 320 students between them. This fall, there will be 11 charters schools enrolling more than 3,500 students. By contrast, enrollment in Buffalo Public Schools dropped by 3,800 students from 2000 to 2003, with the city's Catholic schools also experiencing an enrollment decline of 1,034 over the same period.

The demand for school choice in Buffalo has surged for a host of reasons, including public concern about poor performance on state achievement tests, the availability and popularity of charter schools, and budget cuts in the Buffalo Public Schools. City schools have responded to the demand for greater choice by allowing parents to pick their child's high school instead of being restricted by school attendance zones.

Among the choices available to Buffalo parents is the BISON Fund, a privately funded voucher program for low- and moderate-income families who want to send their children to private or parochial schools.

Buffalo News
June 19, 2003

Choices Are Changing Buffalo

Type of school	2000 Enrollment	2003 Enrollment	Change
Charter schools	320	3,500*	+3,180
Catholic schools	8,128	7,094	-1,034
Public schools	45,902	42,082	-3,820

* Anticipated 2004 enrollment
Source: *Buffalo News*

OREGON

Scholarship Program Extended

Since 1999, Children's Scholarship Fund of Portland has helped more than 500 students from low-income families attend private schools with partial-tuition scholarships averaging $1,350 each. That effort will continue with 230 students next year, according to the Cascade Policy Institute, thanks to donations from voucher supporters to extend the program for another four years.

Most parents who receive the scholarships must still make up the remaining amount of private school tuition out of their pockets, and that's not been easy with the statewide recession. Many are reporting they cannot make up the difference and are returning their children to public schools.

Participants rate the private schools highly on academics, safety, and discipline, according to a 2001 Harvard research study. But, with an average income of $31,000, many scholarship families sacrifice greatly to pay the difference between tuition and the amount of the voucher.

One mother, who earns $16,000 maintaining inventory at a Christian supply house, manages to send her son to Catholic high school despite the large difference in the $7,000 tuition and the $2,500 scholarship she receives. Joanna Gordon and her family live in a tight, two-bedroom apartment to make ends meet, with one child sleeping in the dining room. But "the kids are getting a marvelous education," she says.

"I figure I only have this many years to get the kids prepared for the rest of their lives," Gordon told the *Oregonian*.

She had been dissatisfied with her children's experiences in public school and was especially worried about her autistic son, Nicholas. She now sees him thriving at a Catholic school where he has a special education teacher who has studied autism.

Portland Oregonian
July 28, 2003

PENNSYLVANIA

Education Tax Credit Expanded

On July 28, the Pennsylvania Senate passed an education package (HB 564) that included an additional $6 million for the Educational Improvement Tax Credit program (EITC). Four of the $6 million would go for scholarships and $2 million for educational improvements in public schools.

The education package passed by the House included an amendment to increase the EITC program by $20 million. The amendment was sponsored by Rep. Dwight Evans (D-Philadelphia) and supported by Majority Leader Sam Smith (R-Jefferson) and Speaker John Perzel (R-Philadelphia).

REACH Alliance

New Scholarship Organization Under Way

Dr. Alberta Wilson, president of Faith First Educational Assistance Corporation, kicked off her organization's nonprofit status and incorporation on July 17 with a Grand Opening Ceremony at the University of Pennsylvania. Nearly 300 Philadelphia parents waited, some from noon until nine in the evening, to obtain scholarship applications for which no money is yet available.

"They have faith that God will provide," said Wilson, who was profiled on these pages earlier this year. (See "An Educator's Journey," *School Reform News*, February 2003.)

TEXAS

Governor Wants Voucher Bill Addressed

Texas Governor Rick Perry has spoken out, saying he wants to see a voucher bill addressed in the state's legislative special session. The bill Perry has in mind is HB 1624, which would create a pilot program for 11 of the state's largest urban school districts. The bill passed the House Public Education Committee, before which Milton Friedman testified in May.

UTAH

Study: Tax Credits Would Cost Less than Charters

Charter schools may have the endorsement of the Utah state legislature as the official state-approved school choice option, but a new study from the Office of the Legislative Fiscal Analyst shows that another option—tuition tax credits—would cost the state less than half as much per pupil.

Earlier this year, the senate passed a bill sponsored by Sen. Chris Buttars that would have provided parents and businesses with a tax credit of up to $2,132 for private school tuition, but the House did not take up the bill for consideration.

Estimates from the study were presented to the Education Interim Committee on June 18. They show the average tax credit would cost the state $1,695 per pupil, compared to $2,846 per pupil in a regular public school and $3,557 per pupil in a charter school.

The projections assume students switch from public to private schools at a rate of 1 percent in the first year of the program, 1.5 percent in the second, and 2 percent in subsequent years. School choice advocates like Elisa Clements, director of Education Excellence Utah, say those rates are conservative.

"We predict a higher switch rate, so the savings to the state will be even greater," Clements told the *Salt Lake Tribune*. Her group wants to see a tax credit bill like Buttars' introduced in next year's legislative session.

Salt Lake Tribune
July 17, 2003

WISCONSIN

Governor Vetoes Voucher Expansion

Concerned about a possible veto, a diverse group of Milwaukee's political and education leaders gathered for a meeting with *Milwaukee Journal Sentinel* reporters and editors on July 14 to urge Wisconsin Governor Jim Doyle not to kill Republican budget provisions to expand Milwaukee's school choice programs.

Participants in the meeting included Democratic Mayor John O. Norquist; Milwaukee County Sheriff David A. Clarke Jr.; Milwaukee County Executive Scott Walker, a Republican; Milwaukee Archbishop Timothy Dolan; and school choice advocate Howard Fuller.

School choice provisions in the budget would:

- Lift the cap on the number of participants in the Milwaukee Parental Choice Program (MPCP), which is currently limited to 15 percent of the enrollment in Milwaukee Public Schools;
- Allow private schools outside of Milwaukee to participate in MPCP;
- Allow voucher students to stay in the program even if their family's income rose above the program's limit;
- Allow students outside of Milwaukee to attend a Milwaukee charter school.

Ten days after the meeting, Doyle used his veto authority to eliminate all these provisions from the budget. In vetoing the provision to remove the cap on voucher students, the Democratic governor called Republicans hypocritical for inserting what he regarded as a policy change into a budget document. But Norquist, who wanted the cap lifted, questioned Doyle's argument.

"There is all sorts of policy in the budget—from the governor and the legislature," Norquist pointed out. "So now there shouldn't be policy? That's a lame argument."

Milwaukee Journal Sentinel
July 15, 2003
July 24, 2003

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Push for Accountability Is Changing Public Education

Schools under pressure look to private sector for help

by George A. Clowes

During the three days of the Education Industry Association's annual conference, EDVentures 2003, the unmistakable mood of the almost 400 business representatives and educators who attended was one of optimism for the prospects of the entrepreneurial sector of K-12 education.

Significantly, two officials from the U.S. Department of Education attended the July 23-25 meeting in Boston to address two different sessions.

On the first day, U.S. Deputy Under Secretary of Education Nina Rees addressed the group to explain how education entrepreneurs could help students achieve success through the No Child Left Behind (NCLB) Act. On the final day, U.S. Deputy Secretary of Education Gene Hickok presented his vision of what U.S. K-12 education would begin to look like in a few years, as the accountability and performance provisions of NCLB started to take effect.

"The idea is to empower the public in public education in order to transform—not just reform—public education," said Hickok, noting the goal was not to end public education but to improve it.

Photos: George Clowes

Clockwise from left: Peter Stokes, Gene Hickok, and Ed Gordon spoke at the three-day Education Industry Association's annual conference, EDVentures 2003.

Industry Changes

To set the stage at the opening of the conference, Peter Stokes, executive vice president of Eduventures, Inc., and Kosmo Kalliarikos, senior partner with The Parthenon Group, each provided an overview of the education industry.

"K-12 education is on the cusp of a challenging new era," declared Stokes, saying school districts were being forced to change from simply being concerned about inputs to being measured on what they produce. Much of this new focus on outputs is being driven by NCLB. (See "NCLB Prompts Districts to Re-Examine Technology Plans," page 18.)

According to Kalliarikos, public school administrators are facing increasing challenges. For example, at least 21 states have proposed cuts in K-12 education funding; student performance has largely remained flat over the past two decades; federal and state governments are demanding more tests of student achievement; and continuing teacher shortages plague certain subject areas. But as these challenges multiply, administrators begin to look around for help.

"There is a need for systemic solutions to increase performance and close achievement gaps," said Kalliarikos, emphasizing that education service providers should focus on solutions rather than on specific products or tools. The model he suggested for emulation was IBM chief Lou Gerstner, who successfully changed IBM's focus during the 1990s from selling hardware and software to selling solutions.

Tutoring

Tutoring was a major topic of interest at the conference. It is an $8 billion industry and growing, according to keynote speaker Edward E. Gordon, president and founder of Imperial Tutoring and Educational Services. Imperial recently celebrated its 35th anniversary, having tutored more than 20,000 children and 10,000 adults.

According to Gordon, the supplemental services component of NCLB brings major changes to the tutoring industry. Vouchers for supplemental services, including tutoring, will be given to low-income parents with children who are poor achievers and attend a failing school. Inclusion of tutoring in NCLB will begin the institutionalization of tutoring, and will begin to answer the question "What is a professional tutor?"

Gordon lists five major tutoring issues raised by NCLB that need to be addressed at the local and state levels. They are:

- Requirements for recognition of tutors by the state board of education;
- Consumer information from the school district to help parents choose a qualified professional tutor;
- Federal clarification of the qualifications of a professional tutor vs. a volunteer tutor;
- Collaboration between the state board of education and local Better Business Bureaus to address initial consumer complaints regarding tutoring services;
- Federal NCLB recognition that tutoring services need to be research-based.

George A. Clowes is managing editor of School Reform News. *His email address is* **clowes@heartland.org**.

INTERNET INFO

The Chicago-area Better Business Bureau has published a pocket guide to Tutoring Services. It is available at the Bureau's Web site at **http://www.chicago.bbb.org**.

Huizenga Named Entrepreneur of the Year

by George A. Clowes

The Education Industry Association named J.C. Huizenga the winner of the 2003 James P. Boyle Entrepreneurial Leadership Award at the Association's annual conference in Boston on July 23. Huizenga is founder and chairman of National Heritage Academies, one of the nation's largest and fastest-growing for-profit education management companies.

National Heritage Academies was started in 1995 with a single charter school, 174 students, and a mission of "Challenging children to achieve their greatest potential." The firm now operates 32 charter academies in four states and serves more than 17,000 students. It is in its fourth year of profitability. The company's goal is "to build a national organization of more than 200 charter schools that become the finest K-8 schools in the country."

In accepting the award, Huizenga spoke about the importance of teaching the nation's values to all students and also about how bringing capitalism to the education sector was creating more educational options for children and providing them with more than just one path to success.

"We're looking to make a difference in the world," he said, "and isn't this a great industry in which to make a difference?"

George A. Clowes is managing editor of School Reform News. *His email address is* **clowes@heartland.org**.

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Voices for School Reform

by George A. Clowes

During the past six and a half years, *School Reform News* has interviewed more than 60 school reform advocates. Although all of these interviews are available online, they are organized there only by date, perhaps not the most helpful structure.

A different organization—by perspective and by issue—is presented below to assist readers in more readily locating needed information from the interviews.

Please note individuals are identified below by the position they held at the time they were interviewed, not by their current positions.

George A. Clowes is managing editor of School Reform News *and conducted all of the interviews cited here. His email address is clowes@heartland.org.*

NATIONAL PERSPECTIVES

Roderick Paige
Right Man for the Job
http://www.heartland.org/Article.cfm?artId=12233
Paige is U.S. Secretary of Education and former Superintendent of the Houston Independent School District.

Chester E. "Checker" Finn, Jr.
Accountability and Choice: Each Depends on the Other
http://www.heartland.org/Article.cfm?artId=10762
Finn is president of the Thomas B. Fordham Foundation, and senior fellow at Stanford's Hoover Institution.

Herbert J. Walberg
Reformers, Make No Small Plans
http://www.heartland.org/Article.cfm?artId=12699
Walberg is research professor of psychology and education, University of Illinois at Chicago.

Quentin L. Quade
Strap on the Armor and Go: Never Give In!
http://www.heartland.org/Article.cfm?artId=12700
The late Quentin Quade was director of the Blum Center for Parental Freedom in Education at Marquette University.

Joseph P. Viteritti
Delivering on the Promise of Equal Educational Opportunity
http://www.heartland.org/Article.cfm?artId=11023
Viteritti is professor of public administration at New York University, and author of *Choosing Equality*.

VIEWS FROM CONGRESS

Floyd H. Flake
We Cannot Afford to Wait Any Longer
http://www.heartland.org/Article.cfm?artId=12702
The Reverend Flake is a former member of Congress (D-Queens), and senior pastor of the Allen African Methodist Episcopal Church. He will be a keynote speaker at The Heartland Institute's 19th Anniversary Benefit Dinner on October 16. (See page XX.)

J.C. Watts, Jr.
"Let's Do What's Best for the Child"
http://www.heartland.org/Article.cfm?artId=10950
Watts is a member of Congress (R-Oklahoma) and House Republican Conference Chairman.

George V. Voinovich
Together, We Can Do It
http://www.heartland.org/Article.cfm?artId=10434
Voinovich is the U.S. Senator from Ohio, former Governor of Ohio, and former Mayor of Cleveland.

STATE PERSPECTIVES

Gary E. Johnson
Better Education *Does* Make All the Difference
http://www.heartland.org/Article.cfm?artId=10881
Johnson is governor of New Mexico.

Charles L. Glenn, Jr.
Lessons from History, Advice for Today
http://www.heartland.org/Article.cfm?artId=12133
Glenn is professor of administration, training and policy studies, and fellow of the University Professors Program at Boston University.

Lisa Graham Keegan
The More Choices We Have, the Better Off We're Going to Be
http://www.heartland.org/Article.cfm?artId=12477
Keegan is state superintendent of public instruction for Arizona.

Anne C. Fox
Idaho's Voice for Parents in Education
http://www.heartland.org/Article.cfm?artId=12703
Fox is superintendent of public instruction for Idaho.

STATE EDUCATION STANDARDS

Sandra Stotsky
America's Teaching Crisis
http://www.heartland.org/Article.cfm?artId=10101
Stotsky is Deputy Education Commissioner for Academic Affairs and Planning, State of Massachusetts.

Michael A. Rios
California: Setting the Standard for Science Teaching
http://www.heartland.org/Article.cfm?artId=10835
Rios is a high school science teacher in the Montebello Unified School District and chairman of the Curriculum Framework and Criteria Committee in Science.

CITY AND COMMUNITY PERSPECTIVES

John O. Norquist
Restoring the Urban Advantage with School Choice
http://www.heartland.org/Article.cfm?artId=12704
Norquist is mayor of the City of Milwaukee, Wisconsin.

Paul D. Novack
A Merry-Go-Round of Irresponsibility
http://www.heartland.org/Article.cfm?artId=11784
Novack is mayor of Surfside, Florida.

Joan Davis Ratteray
Community-Based Schools: Educationally and Economically Essential
http://www.heartland.org/Article.cfm?artId=12705
Ratteray is founder of the Institute for Independent Education.

VIEWS FROM SCHOOL DISTRICTS

Donald R. McAdams
School Board Members: The Forgotten Reformers?
http://www.heartland.org/Article.cfm?artId=9172
McAdams is a former member of the Houston Independent School Board, and founder and president of the Center for Reform of School Systems.

Bruce R. Thompson
Changing the Vision for Public Education
http://www.heartland.org/Article.cfm?artId=11909
Thompson is president of the Milwaukee Public Schools Board and a professor in the School of Business at the Milwaukee School of Engineering.

Paul C. Vallas
Chicago: Viewing Education through a Performance Prism
http://www.heartland.org/Article.cfm?artId=12708
Vallas is CEO of the Chicago Public Schools.

Anthony Trujillo
Urban Schools Can Succeed: "Wall-to-Wall, for All Children"
http://www.heartland.org/Article.cfm?artId=12001
Trujillo is former superintendent of the Ysleta School District, El Paso, Texas.

Howard L. Fuller
Relentlessly Pursuing School Choice
http://www.heartland.org/Article.cfm?artId=1035
Fuller is president of the Black Alliance for Educational Options and former superintendent of the Milwaukee Public Schools.

SCHOOL OPERATIONS

Thomas E. Williams
Brilliant Teachers + Good Administration + Concerned Parents = The Best School You Can Get
http://www.heartland.org/Article.cfm?artId=12709
Williams is headmaster of the Healthy Start Charter School, Durham, North Carolina.

Nina Shokraii Rees
Empowering Principals the Key to Improving Education
http://www.heartland.org/Article.cfm?artId=12710
Rees was chief education policy analyst for The Heritage Foundation; she is now Deputy Under Secretary of Education for the Office of Innovation and Improvement.

Alexander Volokh
School Violence Prevention: Choice and Accountability Are Key
http://www.heartland.org/Article.cfm?artId=11228
Volokh is adjunct scholar, Reason Foundation, Los Angeles, California.

Andrew J. Coulson
Computers in K-12 Classrooms: Helpful, Hindrances, or Ornaments?
http://www.heartland.org/Article.cfm?artId=11028
Coulson is author of *Market Education: The Unknown History*.

TEACHING

William L. Sanders
Helping Teachers Raise Student Achievement
http://www.heartland.org/Article.cfm?artId=11119
Sanders is a researcher with the University of Tennessee and developer of the Value-Added Assessment System.

Barak Rosenshine
What Characterizes an Effective Teacher?
http://www.heartland.org/Article.cfm?artId=9231
Rosenshine is professor emeritus in the Department of Educational Psychology at the University of Illinois.

Siegfried E. Engelmann
"If the Children Aren't Learning, *We're Not Teaching*"
http://www.heartland.org/Article.cfm?artId=984
Engelmann is professor of special education, University of Oregon, and founder of the National Institute for Direct Instruction.

G. Reid Lyon
"Reading Is Anything But Natural"
http://www.heartland.org/Article.cfm?artId=11838
Lyon is chief of the Child Development and Behavior Branch, National Institute of Child Health and Human Development.

Harold W. Stevenson
"We're Talking about the Future Here" [Teaching Math]
http://www.heartland.org/Article.cfm?artId=11195
Stevenson is professor of psychology, University of Michigan.

CURRICULUM

E.D. Hirsch
"Ready to Learn What?" Is the Key to Education Reform
http://www.heartland.org/Article.cfm?artId=12711
Hirsch is head of the Core Knowledge Foundation and author of *The Schools We Need and Why We Don't Have Them*.

Marva Collins
Where High Expectations Are Met -- And More
http://www.heartland.org/Article.cfm?artId=12712
Collins is founder of the Westside Preparatory School.

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Economic Theory & Political Reality

Economics provides the theoretical underpinning for the advocacy of school choice, but the raw political power wielded by the teacher unions provides the greatest obstacle to the implementation of school choice legislation.

TEACHER UNIONS: PRESERVING THE STATUS QUO

Milton Friedman
The Only Solution Is Competition http://www.heartland.org/Article.cfm?artId=12013
Friedman first proposed the idea of school vouchers in 1955; he was awarded the Nobel Prize for Economics in 1976, and is a senior research fellow at the Hoover Institution at Stanford University.

John D. Merrifield
More than a Lifeboat
http://www.heartland.org/Article.cfm?artId=11291
Merrifield is professor of economics at the University of Texas-San Antonio and author of *School Choices: True and False* and *The School Choice Wars*.

Caroline Minter Hoxby
How Best to Improve School Productivity? School Choice!
http://www.heartland.org/Article.cfm?artId=10212
Hoxby is professor of economics at Harvard University and author of many innovative school choice research papers.

Eric A. Hanushek
Incentives: The Fundamental Problem in Education
http://www.heartland.org/Article.cfm?artId=11101
Hanushek is professor of economics with the Hoover Institution at Stanford University.

William A. Fischel
Barking Up the Wrong Tree
http://www.heartland.org/Article.cfm?artId=11086
Fischel is professor of economics at Dartmouth College.

FREE MARKETS: CHOICES BRING CHANGES

Terry M. Moe
Power-Shift: Teacher Unions and the Movement for School Choice
http://www.heartland.org/Article.cfm?artId=12446
Moe is senior fellow at the Hoover Institution and professor of political science at Stanford University.

Myron Lieberman
Unions the "Major Obstacle" to Market-Oriented Reforms
http://www.heartland.org/Article.cfm?artId=12721
Lieberman is chairman of the Education Policy Institute, author of *The Teacher Unions*, and co-author of *Public Education as a Business*.

John E. Berthoud
What About the Children?
http://www.heartland.org/Article.cfm?artId=11058
Berthoud is president and COO of the National Taxpayers Union Foundation.

Charlene K. Haar
Taking the Parent out of the National PTA
http://www.heartland.org/Article.cfm?artId=11496
Haar is president of the Education Policy Institute, author of *The Politics of the PTA*, and co-author of *Public Education as a Business*.

Diane Ravitch
Anti-Intellectualism Runs Rampant in U.S. Education
http://www.heartland.org/Article.cfm?artId=10023
Ravitch is a research professor at New York University and author of *Left Back* and *The Language Police*.

HOW PARENTS VIEW PUBLIC SCHOOLS

"Peg" Luksik
Outcome-Based Education: Remaking Society One Child at a Time
http://www.heartland.org/Article.cfm?artId=12713
Luksik is author of *Outcome-Based Education: The State's Assault on Our Children's Values*.

Susan Sarhady
Don't Mess with Texans
http://www.heartland.org/Article.cfm?artId=10173
Sarhady is a member of the Plano, Texas, Parental Rights Council.

John E. Coons
School Choice as Family Policy
http://www.heartland.org/Article.cfm?artId=10213
Coons is University of California Law Professor Emeritus and an expert on the constitutionality of school finance systems.

Lawrence C. Patrick, III
Parents Must Have the Power to Choose
http://www.heartland.org/Article.cfm?artId=11617
Patrick is president and CEO of the Black Alliance for Educational Options.

STUDENT PERSPECTIVES

Saundra Lemons
"I Wasn't Taught to Read-- I Was Taught to Play Games"
http://www.heartland.org/Article.cfm?artId=11923
Lemons is a District of Columbia high school senior.

John Taylor Gatto
Masters of Their Own Souls
http://www.heartland.org/Article.cfm?artId=10083
Gatto is a former New York State and New York City Teacher of the Year and author of *The Underground History of American Education*.

PERSPECTIVES OF BUSINESS LEADERS

Peter R. Denton
"It's All About Money and Power"
http://www.heartland.org/Article.cfm?artId=6
Denton is founder of E3 (Excellent Education for Everyone), one of the largest grassroots school choice organizations in the country.

Dick Devos
Time to Get Our Priorities Right: Schools Exist to Provide an Education for Kids
http://www.heartland.org/Article.cfm?artId=10953
Devos is president of Amway Corporation and co-chairman of Kids First! Yes!

Tim Draper
"They're Running the Children through Public Schools Like Cattle"
http://www.heartland.org/Article.cfm?artId=10911
Draper is a venture capitalist and the force behind California's universal school voucher initiative, Proposition 38.

OTHER EDUCATION OPTIONS

CHARTER SCHOOLS

Kevin Teasley
Growing School Choice in the Community
http://www.heartland.org/Article.cfm?artId=9293
Teasley is founder of the Greater Educational Opportunities Foundation, Indianapolis, and founder of the 21st Century Charter School

PRIVATE SCHOOLS

A.J. "Jack" Clegg
Accountability: A Way of Life at Nobel
http://www.heartland.org/Article.cfm?artId=893

A.J. "Jack" Clegg
It's Hard to Go Back to Building Widgets
http://www.heartland.org/Article.cfm?artId=12714
Clegg is chairman and CEO, Nobel Learning Communities, Inc.

CONTRACTING OUT

Chris Whittle
Education on a National Scale
http://www.heartland.org/Article.cfm?artId=10247
Whittle is a media entrepreneur and founder of Edison Schools, Inc.

HOMESCHOOLING

William J. Bennett
Offering "the Heart and Soul of an Excellent Education"
http://www.heartland.org/Article.cfm?artId=9907
Bennett is a former U.S. Secretary of Education, author, and spokesperson for K12.com.

Susan Wise Bauer
Learning Is Like Eating Strawberries
http://www.heartland.org/Article.cfm?artId=12715
Bauer is professor of English at the College of William & Mary and coauthor of *The Well-Trained Mind: A Guide to Classical Education at Home*.

VOUCHERS

PRIVATELY FUNDED VOUCHERS

J. Patrick Rooney
If We Love Our Children, It's Time to Find Alternatives to Public Schools
http://www.heartland.org/Article.cfm?artId=12716
Rooney is founder of the nation's first private voucher program, and chairman emeritus of Golden Rule Insurance Company.

MILWAUKEE VOUCHER PROGRAM

Annette Polly Williams
Milwaukee: "The Model for the Nation"
http://www.heartland.org/Article.cfm?artId=10124
Williams is a Wisconsin State Representative, chief proponent of the Milwaukee Voucher Program, and "the Rosa Parks" of vouchers.

Michael Joyce
PAVE-ing a Road to Parental Choice
http://www.heartland.org/Article.cfm?artId=12717
Joyce is president of The Lynde and Harry Bradley Foundation, Milwaukee, Wisconsin.

CLEVELAND VOUCHER PROGRAM

Bert L. Holt
Here's an Opportunity to Make an Impact on Our Schools!
http://www.heartland.org/Article.cfm?artId=12719
Holt is program director of the Cleveland Scholarship and Tutoring Program.

FLORIDA VOUCHER PROGRAM

Patrick J. Heffernan
School Choice Is a Matter of Justice
http://www.heartland.org/Article.cfm?artId=11254
Heffernan is president of Floridians for School Choice.

DEFENDING VOUCHER PROGRAMS

Clint Bolick
"Whatever it Takes"
http://www.heartland.org/Article.cfm?artId=227
Bolick is vice president and director of litigation, Institute for Justice, and author of *Voucher Wars*.

VOUCHER RESEARCH

Jay P. Greene
The Results Are In: Research Documents the Benefits of School Choice
http://www.heartland.org/Article.cfm?artId=10849
Greene is senior fellow, Manhattan Institute for Policy Research, and author of *The Education Freedom Index*.

Paul E. Peterson
Competition in Education: Does it Make a Difference?
http://www.heartland.org/archives/education/jan98/peterson.htm
Peterson is director of the Program on Education Policy and Governance at Harvard University.

David E. Campbell
Can Tolerance Be Taught?
http://www.heartland.org/Article.cfm?artId=9386
Campbell is an education researcher at Harvard University and visiting fellow, Center of Democratic Politics at Princeton University.

David W. Kirkpatrick
Responding to the Critics of Vouchers: "What About the Kids?"
http://www.heartland.org/Article.cfm?artId=12718
Kirkpatrick was executive director of REACH; he is currently a senior education fellow with the U.S. Freedom Foundation.

INTERNATIONAL PERSPECTIVE

Toby Linden
The British Are Coming ... And Bringing School Reform Lessons
http://www.heartland.org/Article.cfm?artId=12720
Linden is with the Department of Education and Employment in the United Kingdom.

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Nonpublic Schools and the Courts

They can be regulated even if not receiving public funds

by David W. Kirkpatrick

When the U.S. Supreme Court ruled on June 27, 2002 that using vouchers at religious schools did not violate the First Amendment of the U.S. Constitution, critics editorialized that the decision "removed a brick" from the wall for separation of church and state. But the brick was never there in the first place. The court has never found a violation of the U.S. Constitution when public funding assists students at religious schools if such aid is part of a general program.

But even if nonpublic schools do not receive public funds, the court has ruled they can be regulated.

"The child is not the mere creature of the state; those who nurture him and direct his destiny have the right, coupled with the high duty, to recognize and prepare him for additional obligations."

***Pierce vs. the Society of Sisters* (1925)**

At one time, it was common for schools in the United States to be operated by religious or other groups and to receive funding from the government. That chapter in American history was gradually rewritten, so that by the twentieth century the practice had largely died out, and newly discovered constitutional restrictions on such aid had been put in place.

The U.S. Supreme Court was drawn into the controversy as early as 1908 when, in *Quick Bear v. Leupp*, it allowed federal funds being administered for Native Americans to be applied to salaries and maintenance costs of a parochial school for their children.

"A declaration by Congress that the government shall not make appropriations for sectarian schools does not apply to Indian treaty and trust funds ..." the Court explained. The Court also upheld the practice because Native Americans were using their own money, even if it was administered by the government.

Pierce Decision

The fundamental case came in the 1920s, *Pierce vs. the Society of Sisters*. An initiative backed by the Ku Klux Klan and approved by Oregon voters on November 7, 1922 would have required all schoolchildren in that state to attend public schools beginning in 1926. The issue was promptly taken to court by the Society of Sisters and the Hill Military Academy. In 1925, a unanimous U.S. Supreme Court struck down the law.

"The fundamental theory of liberty upon which all governments in this Union repose excludes any general power of the state to standardize its children by forcing them to accept instruction from public teachers only," ruled the Court. "The child is not the mere creature of the state; those who nurture him and direct his destiny have the right, coupled with the high duty, to recognize and prepare him for additional obligations."

The Court thus made it clear the government has no right to compel children to attend a public school as long as they are otherwise being educated, whether in a religious or secular nonpublic school, by tutors, through home schooling, or by some other means. For those who are concerned about schools being started by witches or fanatics, the Court also said the government had the right to reasonably regulate nonpublic schools and limit anything inimical to the public interest.

"Reasonably Regulate"

The Supreme Court soon made it abundantly clear that when it said "reasonably," that's what it meant. In *Farrington v. Tokushige*, in 1926, the court overturned an intrusive Hawaii law setting teacher qualifications and textbook content for private schools. The law also required teachers to pledge to "direct the mind and studies of pupils in such schools as will tend to make them good and loyal citizens."

The Court said enforcement of that law would deprive parents of the opportunity to procure the kind of instruction they believe important for their children.

These major decisions still stand. Thus, nonpublic schools can be reasonably regulated, even if not receiving public funds, but parents also have a constitutional right to direct the education of their children.

Permissible Aid

While the Supreme Court has not said public funding must be provided to assist parents choosing a nonpublic education, it has said such aid is permissible.

For example, in *Mueller v. Allen* the U.S. Supreme Court upheld a 1955 Minnesota law allowing parents income tax deductions for tuition, textbooks, and transportation expenses. In 1986 it ruled in favor of Washington State's financial aid for blind students, even including one attending a religious institution. Seven years later, in a 1993 case from Arizona, the court decided public funding of a sign-language interpreter for a deaf child attending a religious high school was not unconstitutional.

David W. Kirkpatrick is a senior education fellow with the U.S. Freedom Foundation. His email address is **kirkdw@aol.com**.

DAVID W. KIRKPATRICK

School Reform News is pleased to welcome back David W. Kirkpatrick as a contributing editor. Kirkpatrick is a senior education fellow with the U.S. Freedom Foundation, for which he writes a weekly education column.

Long active in the school reform movement, Kirkpatrick is the author of two books on school choice. He served as executive director of Pennsylvania's REACH school choice alliance. He was also an active voice for reform in the teacher union. As president of the 88,000-member Pennsylvania State Education Association, he publicly called for school vouchers at the 1970 National Education Association convention in San Francisco.

A Guide to State Regulation of Private Schools

While parents may have the right to direct the education of their children in a private school, states still have the power to regulate those schools in various ways. What regulations are imposed in different states? *State Regulation of Private Schools*, a publication issued by the Office of NonPublic Education in the U.S. Department of Education, provides the answer.

State Regulation of Private Schools is an online manual last updated in June 2000. After summarizing relevant U.S. Supreme Court decisions, the manual provides a state-by-state briefing of the legal requirements that apply to private schools, together with statistics on the types of private schools in each state.

The manual addresses the following areas of state regulation of private schools:

- Registration/Licensing/ Accreditation
- Recordkeeping/Reports
- Length of School Year/Days
- Teacher Certification
- Instruction in English
- Curriculum
- Health and Safety
- Transportation
- Home Schooling
- Public Aid for Private Schools/ Students

Three summary charts show the state-by-state requirements for state oversight of private schools, state-mandated educational requirements, and public assistance to private schools and students.

According to the manual's authors, the challenge to state legislators in regulating private schools lies in crafting statutes that:

- respect the right of parents to direct their children's education;
- protect the state's interest in having an informed citizenry;
- avoid interference with religious beliefs—unless compelling interests are at issue, and then only in the least restrictive manner; and
- avoid such comprehensive regulation that parents would be deprived of any choice in education.

The variation in regulations across states shows how differing local concerns and circumstances have led states to develop different views about what is "reasonable." No two states regulate private schools in the same way.

INTERNET INFO

The Office of NonPublic Education's June 2000 manual, *State Regulation of Private Schools*, is available online at **http://www.ed.gov/pubs/RegPrivSchl/**

The Web site of the Office of NonPublic Education in the U.S. Department of Education, which contains a long and useful list of publications concerning nonpublic schools, is at **http://www.ed.gov/offices/OIIA/NonPublic/**

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Diplomas Denied as Seniors Fail Exit Exams

If students can't pass a test on what they are supposed to have learned in school, should they still get a high school diploma?

This spring, thousands of high school seniors across the country weren't awarded a high school diploma, because they failed to pass their state's exit exam. Lawmakers in states such as California, Florida, Massachusetts, Nevada, and North Carolina have instituted the high-stakes tests to ensure graduates are competent in basic skills, but now they face pressure from angry students and parents to delay or scrap the tests. Students say the tests do not reflect the curriculum covered in school.

"[T]he stuff on the test doesn't equate to anything that I've learned in school," 18-year-old Robyn Collins of Sparks, Nevada, protested to the *Washington Post*. A student with a solid academic record and a 3.0 grade point average, Collins had just failed on her fifth attempt to pass the math portion of the state's exit exam.

Students must answer only about 61 percent of the multiple-choice questions correctly to pass, and test proponents say exit exams in general are easy enough for the vast majority of students to pass.

Officials in seven school districts in Massachusetts said they would defy state officials and award diplomas even if students had failed the state's exit exam. In Florida, protesting community leaders called for a boycott of the state's lottery, major theme parks, and the citrus industry.

Source: *Washington Post, May 31, 2003*

Sample Questions from High School Exit Exams

Could you pass a high school graduation test? Check out the sample questions from high school exit exams at the following Web sites:

All states
http://edservices.aea7.k12.ia.us/curriculum/math/stateitems.html

Florida FCAT
http://www.firn.edu/doe/sas/fcat/pdf/fc0mib1r.pdf

Massachusetts MCAS
http://www.doe.mass.edu/mcas/testitems.html

Report Card

Continued from page 1

numbers were for high school seniors and performance comparisons over a longer period of time.

Specifically, reading and writing achievement of fourth-graders improved significantly since 1998. Eighth-grade writing also improved over this four-year period, though reading scores were generally flat. That was the good news. The bad news was for the 12th grade, where achievement tanked.

Grounds for Optimism

On reading, a subject critical to future learning, U.S. Secretary of Education Rod Paige found some grounds for optimism.

"We can celebrate," he said, "because the average fourth-grader's reading score has improved over the past four years and the average eighth-grader's reading score is higher than it was in 1992, when the current National Assessment of Educational Progress was first given."

Paige also found cause to cheer from the following statistical comparisons: In the most recent testing, black fourth-graders narrowed the achievement gap from 1994 with their white peers, while Hispanic fourth-graders narrowed their gap from the 2000 testing with their white counterparts. Low-income children also showed improvements.

From such data, Paige drew hope that federal No Child Left Behind (NCLB) accountability will yield further gains. Under NCLB, states must test students annually in grades 3-8 in reading and mathematics, with a daunting goal of 100 percent proficiency by 2013. The states will use tests of their own choosing, but for the first time they must also participate in NAEP.

"At the same time," added Paige, "I'm concerned that not a lot has changed since 1992, when this NAEP assessment [in reading], the most comprehensive, challenging ever, was first given. At the national level, fourth-graders are scoring at about the same level, eighth-graders are scoring a bit higher, and 12th-graders have gone south."

Desired Standard Is "Proficient"

The desired standard for all students in the NAEP rankings is "proficient," a mark that is supposed to reflect "solid academic performance." The "basic" level denotes only "partial mastery" of basic skills, and "advanced"—a level attained by tiny percentages of NAEP takers—means superior performance.

The Nation's Report Card was good news in some quarters. At all three grades, students in private schools had higher average reading scores than did public school students. Among high school seniors, the private school advantage reached 19 points on a 300-point scale. Scores for students in Department of Defense schools for dependents of military personnel were among the highest in the rankings, and black and Hispanic children in those schools on average scored 17 to 23 points higher than their peers nationally.

Looking at the big picture, only about one-third of American children are reaching the proficient level, if NAEP's sampling is credible. NAEP has its critics, but most experts deem it the most accurate gauge of grade-school achievement the U.S. currently has.

12th-Grade Proficiency Drops

On the reading test, the proportion of fourth-graders attaining proficient rose from 29 percent to 31 percent over the past four years, while the proportion of high school seniors reaching proficiently dipped from 40 percent to 36 percent.

Some analysts believe the school reform movement has neglected high school in its emphasis on early learning. Others believe that the increased attention being given to teaching children to read in the primary grades will build a foundation for eventual improvement through to high school graduation.

Writing scores were a bit better than reading scores, but NAEP writing tests were given for the first time in 1998; thus, there is less basis for judging long-term trends on writing than on reading.

Average fourth-grade writing scores went up from 150 to 154 points over the four-year period, while eighth-graders' scores increased from 150 to 153. Meanwhile, continuing the pattern of disappointing performance by older students, 12th-grade scores dropped from 150 to 148, a change that was statistically insignificant.

Widening Gender Gap Favors Girls

One of the most stunning results of NAEP writing was the ever-widening "gender gap"—one favoring the girls.

"[T]he bright spots in the 2002 testing came in the fourth grade and in near-term comparisons. The disturbing numbers were for high school seniors and performance comparisons over a longer period of time."

On the 2002 writing tests, girls outperformed boys by 17 points at the fourth grade, 21 points at the eighth grade, and 25 points as high school seniors. While the portion of 12th-grade males who attained proficiency in writing stayed at 14 percent, the portion of females reaching that level of solid performance climbed from 29 percent to 33 percent.

Robert Holland is a senior fellow at the Lexington Institute, a public policy think tank in Arlington, Virginia. His email address is **rholl1176@yahoo.com**.

INTERNET INFO

The reports of the National Assessment of Educational Progress are available at **http://nces.ed.gov/nationsreportcard**.

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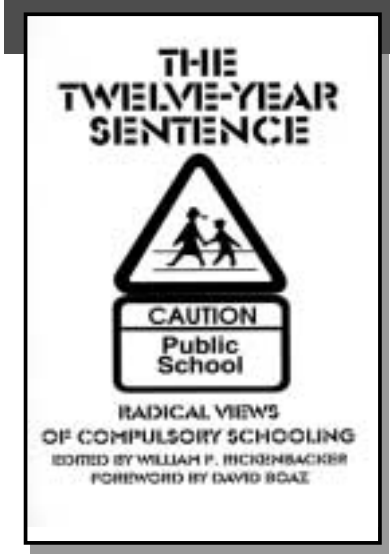

Compulsory schooling has come under increasing fire from the educationalists themselves and from outside critics. From one end of the country to the other, the subject of schooling gives rise to bitter and endless controversy. These six papers give a better understanding of the origins of compulsory education and the alternatives available to parents.

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NCLB Prompts Districts to Re-Examine Technology Plans

Inputs and outputs must be linked for accountability

by Emily Trask and Peter Stokes

The convergence of long-standing education reform efforts, education policy initiatives such as No Child Left Behind (NCLB), and innovative developments in technology is challenging state, district, and school administrators to rethink the way they approach the fulfillment of their academic mission. A number of districts across the country are designing technology infrastructures to achieve greater transparency around business processes, critical performance metrics, and improved student performance.

Due to the success of the federal E-rate program and the drive to connect schools to the Internet, K-12 schools are now in a position to leverage existing hardware and connectivity by developing an application infrastructure that supports efficiency in operations and affects student achievement.

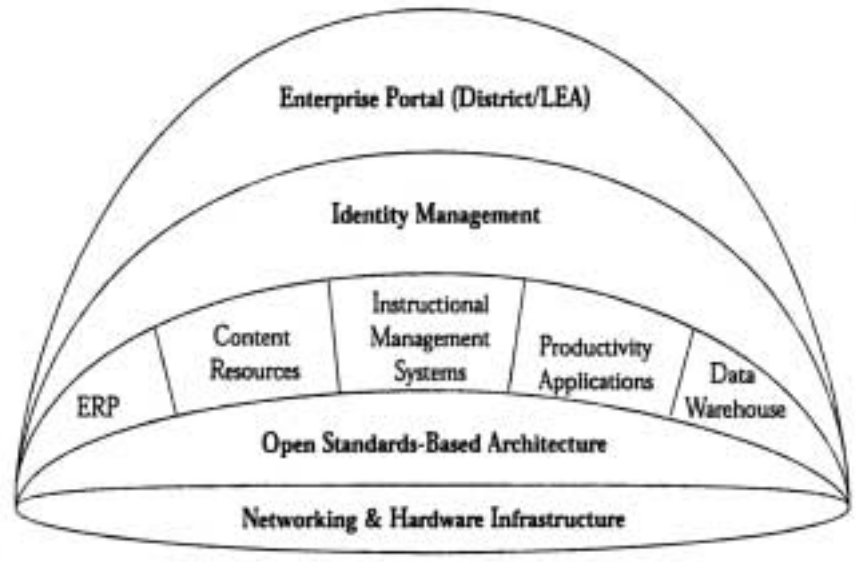
As a result, K-12 education is on the cusp of a new era. This new period will be typified by better measures of individual and aggregate student performance, stronger accountability standards, and more equitable access to the resources students need to succeed in school.

The challenge for administrators is to juggle the attendant, multiple priorities vying for their attention:

- addressing federal mandates for progress in school performance;
- responding effectively to shrinking funding sources and tightening budgets; and
- reengineering familiar business processes and training staff to tap the full potential of technology investments.

Tackling these academic, financial, and technological challenges at once is a daunting task, one that requires viewing K-12 technology solutions within the context of the overarching mission of K-12 schools.

Figure 1
Enterprise Portal Infrastructure with Key Architecture Layer



Technology and K-12 Education

While the past decade has seen entrepreneurs seize the new opportunities offered by a browsable Internet, low-cost connectivity, and cheap digital video devices to develop innovative cyberschools serving widely scattered student bodies, traditional public schools have not been marking time as far as technology is concerned. Each school computer now is shared by only three students and, with a cumulative commitment of approximately $8.5 billion to schools, the federal E-rate program has resulted in 94 percent of schools being linked to the Internet, with 76 percent having high-speed access.

But with the increased accountability called for under the No Child Left Behind Act, public schools are now beginning to undertake another transformation to align technology with operational and academic goals. This transformation is addressed in a recent report from Eduventures, Inc., an independent research firm that focuses exclusively on the coverage and service of learning markets. The accompanying article is based on that report.

Re-Envisioning the Landscape

For the better part of a decade, K-12 technology efforts have focused on inputs:

- connecting schools to the Internet through E-rate funding;
- driving down student-to-computer ratios to improve access in the classroom;
- installing student information systems to aid in the management of critical student data.

What has been absent, until recently, is an understanding of the strategic value of focusing on outputs. When schools focus only on inputs, there is no incentive to think strategically about the interrelatedness of the components in a school's technology infrastructure. For example, technology purchasing has been a highly fragmented endeavor, leaving many administrators with the challenge of integrating a labyrinth of technology platforms.

By focusing on outputs, educators can begin to think strategically about the long-term effects of their technology purchasing decisions. Providing a school with a connection to the Internet does not, by itself, improve education. Likewise, putting a computer at the fingertips of every child will not necessarily help schools demonstrate annual progress in student performance.

Aligning Technology with Goals

Most administrators now recognize that complying with the federal mandate for improved educational performance requires focusing on outputs.

With this changed focus, it quickly becomes apparent that everything from back-office to classroom-based applications must be aligned to support critical educational outputs: from measuring and demonstrating student progress to triaging and remediating declines in individual student performance.

Through the accurate and efficient collection and sorting of key aggregate student performance data, districts are better positioned to evaluate the effectiveness of existing investments and modify instructional strategies that can improve the chances of success for every student.

For administrators, the operational challenge is to achieve improved outputs—and ultimately student outcomes—with fewer financial and human resources. To succeed, districts can start by rationalizing their technology investments via the centralization of core components of their technology infrastructure.

Single Point Connection

From an enterprise perspective, a district's technology infrastructure is an integrated, interoperable amalgamation of systems and applications accessible through a single point—or portal—by any constituent within that educational community. (See Figure 1.)

This model is a vision for the future of the K-12 technology landscape. It demonstrates the potential for numerous, distinct technology systems to be accessed from a single point—an automated, integrated district-wide system that provides efficiencies and enhanced modes of instruction to educators.

In most K-12 districts, various constituents access a number of point systems through individual interfaces and logins, complicating technology access and management. Through an enterprise portal model, individuals can access numerous systems through a single, secure login, simplifying end-user access and facilitating management of a district's numerous applications.

In many ways, the vision for the integrated model of educational applications is ahead of its time—the vendor community still has work to do to evolve the standards that enable the interoperation of diverse applications. The education community needs to work with vendors to develop common technology standards to achieve this vision.

Benefits of Enterprise Technology

Districts such as Fairfax, Virginia, Lake Washington, Washington, and member districts of the Colorado Consortium for Data Exchange have sought to unify their academic, operational, and technology planning by beginning to centralize their technology infrastructure and deploying an enterprise technology solution for their schools. In so doing, these districts have benefited in ways that have helped them to address persistent technological challenges—such as limited budgets, high maintenance costs, and inaccessibility of data—and human resources challenges.

Among the key benefits of deploying enterprise technology solutions for schools are:

- **Usability**—Enabling uniform interfaces through which administrators, teachers, students, and parents can securely "log on" and access data sets and other information tailored to their roles and needs;
- **Efficiency**—Streamlining technology management and reducing friction in the use, maintenance, and support of applications;
- **Interoperability**—Integrating applications from numerous vendors and facilitating seamless data flow from one repository to another;
- **Scalability**—Allowing great scale and scope of users at any given time;
- **Adaptability**—Enabling districts to upgrade and extend application sets and incorporate new tools and solutions; and
- **Security**—Providing identification management, authentication, authorization, and access control, to ensure users have access to the appropriate level of information and resources.

Centralizing a district's technology infrastructure does not have to be a rapid, large-scale undertaking. Rather, it can be, and often is, a gradual process that takes a number of years to implement.

© 2003 Eduventures, Inc. This article is based on the June 2003 white paper from Eduventures, Inc., "Re-Envisioning the K-12 Landscape: Leveraging Enterprise Technology Solutions to Support the Mission of K-12 Schools," by Emily Trask and Peter Stokes. Stokes is executive vice president of Eduventures, Inc. and Trask is analyst and senior editor.

INTERNET INFO

The June 2003 report from Eduventures, Inc., "Re-Envisioning the K-12 Landscape," by Emily Trask and Peter Stokes, is available online from Eduventures at **http://www.eduventures.com/research/industry_research_ resources/k12landscape.cfm**.

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Who Supplies What in the Education Industry?

Private-sector businesses make up more than $100 billion of America's $750+ billion education industry, which includes higher education as well as K-12. A recent publication of the Education Industry Leadership Board identified the major suppliers in this $100 billion business, breaking them out into two larger sectors: education delivery providers, and providers of content, infrastructure, and service. A third breakout identified providers to the education industry itself.

The Education Industry Leadership Board was established in 1999 by the Education Industry Association. Its members include educational entrepreneurs, business executives, industry investors, and education policy experts representing the cutting-edge of the educational marketplace. Their aim is to bring the industry's message—*Service. Innovation. Results.*—to the forefront of Congressional and public debate on education.

Further information on the Education Industry Leadership Board is available from the Education Industry Association, whose Web site is located at **http://www.educationindustry.org**. The Board's introduction to the education industry, *A Special Report*, is also available there.

EDUCATION DELIVERY PROVIDERS
(% = Percent of 2001 Revenues of $102 billion)

CHILDCARE (23%)
Bright Horizons **http://www.brighthorizons.com**
ChildrenFirst **http://www.childrenfirst.com**
KinderCare **http://www.kindercare.com**
Knowledge Learning Corporation **http://www.klcorp.com**

PROFESSIONAL DEVELOPMENT (18%)
Canter & Associates **http://www.canter.net**
Classroom Connect **http://www.classroomconnect.com**
TeachStream **http://www.teachstream.com**

SCHOOLS (12%)
K-12 SCHOOLS
Chancellor Beacon **http://www.chancellorbeacon.com**
Edison Schools **http://www.edisonschools.com**
Mosaica Education **http://www.mosaicaeducation.com**
National Heritage Academies **http://www.heritageacademies.com**
Nobel Learning Communities **http://www.nobellearning.com**
SABIS **http://www.sabis.com**

ALTERNATIVE SCHOOLS (SPECIAL ED)
Aspen Education Group **http://www.aspeneducation.com**
Keystone Education and Youth Services **http://www.keystoneyouth.com**
Kids 1 **http://www.kids1.com**
Ombudsman Educational Services **http://www.ombudsman.com**
Options for Youth **http://www.ofy.org**
Richard Milburn High School **http://www.rmhs.org**
Total Education Solutions **http://www.tesidea.com**

POSTSECONDARY SCHOOLS
Apollo **http://www.apollogrp.edu**
Corinthian Colleges **http://www.cci.edu**
DeVry **http://www.devry.com**
Strayer Education **http://www.strayereducation.com**

CONTENT, INFRASTRUCTURE, AND SERVICE PROVIDERS
(% = Percent of 2001 Revenues of $102 billion)

PUBLISHING (16%)
Houghton Mifflin **http://www.houghtonmifflin.com**
McGraw-Hill Education **http://www.mcgraw-hill.com**
Pearson Education **http://www.pearson.com**
Reed Elsevier/Harcourt **http://www.Elsevier.com**

TECHNOLOGY (12%)
Blackboard **http://www.blackboard.com**
Chancery **http://www.chancery.com**
Plato **http://www.plato.com**
Texas Instruments **http://www.education.ti.com**

PROCUREMENT (10%)
J.L. Hammett **http://www.hammett.com**
School Specialty **http://www.schoolspecialty.com**

TESTING AND TUTORING (9%)
Inspirica **http://www.inspirica.com**
Kaplan **http://www.kaptest.com**
Kumon **http://www.kumon.com**
The Princeton Review **http://www.princetonreview.com**
Sylvan **http://www.sylvan.net**
Tutor.com **http://www.tutor.com**

INDUSTRY SERVICE PROVIDERS

Boston Search Group **http://www.bsgweb.com**
Education Capital Markets **http://www.educationcapital.com**
Eduventures **http://www.eduventures.com**
Heidrick & Struggles International **http://www.heidrick.com**
KnowledgeQuest Education Group **http://www.kqeducationgroup.com**
Korn/Ferry **http://www.kornferry.com**
Parchman Vaughan **http://www.parchmanvaughan.com**
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